IN RE: PETITION FOR SPECIAL HEARING
N/S Butler Road, 6047' SW of
c/l of Falls Road
2800 Butler Road
5th Election District
3rd Councilmanic District
Stephen F. Bisbee, et ux, et al

* BEFORE THE

ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 96-388-SPH

Petitioners

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for the property located at 2800 Butler Road in the Glyndon section of northern Baltimore County. The Petition is filed by Stephen F. Bisbee, Karen Bisbee and Gail Cunningham, property owners. Special Hearing relief is requested pursuant to Section 500.7 of the Baltimore County Zoning Regulations (BCZR) to approve a septic reserve area in an easement on lot 2, parcel 7; to serve lot 2, parcel 2, and to amend the site plan approved in case no. 96-252-SPH solely for this purpose. The subject property and requested relief use is more particularly shown on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Special Hearing.

Appearing at the requisite public hearing held for this case were Stephen Bisbee and Gail Cunningham, co-property owners and Petitions. Also present was Michael Maguire from Daft, McCune, Walker, Inc., who prepared the development plan. The Petitioners were represented by Robert A. Hoffman, Esquire. There were no interested persons or Protestants present.

This is the second time in the recent past which this property has come before me for consideration. In case No. 96-252-SPH, I considered a Petition for Special Hearing for the subject property filed by Stephen F. Bisbee and Karen Bisbee, then contract purchasers. That special hearing

requested relief to approve a lot reconfiguration and non-density transfers within the overall tract, zoned R.C.2. As fully set forth in the opinion and Order issued on February 12, 1996, the relief requested was granted. To the extent the same does not contradict with the site plan and evidence offered in the instant case, my prior findings of fact, conclusions of law and Order are hereby incorporated.

Generally, the entire tract at issue is approximately 86 acres. The property is known as "God's Acre Farm" and previously was owned by the Tinsley family. Mr. and Mrs. Tinsley have passed away and the property was subsequently sold to the Bisbees. The property is divided into a number of lots which contain several different dwellings. These include the dwelling in which Mr. and Mrs. Bisbee now reside, as well as other dwellings which originally housed workers on the farm. As set forth in case No. 96-252-SPH, Mr. and Mrs. Bisbee have subdivided the property and propose to sell lot 2, parcel 2 to Ms. Cunningham.

In the course of preparing for this sale, the septic system serving the dwelling in which Ms. Cunningham will reside was examined. Apparently, the Department of Environmental Protection and Resource Management (DEPRM) suggested relocation of the septic field serving that system. After exploring numerous options, it was determined that the field should be located outside of the lot boundary of the Cunningham parcel. Thus, as shown on the site plan, Mr. and Mrs. Bisbee have proposed making available an area within the tract which they have retained to serve as the site of the septic field. This area is being made available to Ms. Cunningham by way of the grant of an easement for the purposes set forth above.

Based upon the testimony and evidence offered, all of which is uncontradicted, it is clear that the Petition for Special Hearing should be granted. A grant of the relief requested is not contrary to the spirit and intent of the original Order, nor the property's zoning classifica-

ORDER RECEIVED FOR FILING

LES:mmn

att.

Rather, the easement is conveyed only to improve the septic system for the Cunningham lot and is altogether appropriate. Thus, the relief requested should and will be granted.

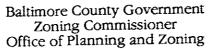
Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore Counday of May, 1996 that, pursuant to the Petition for Special Hearing, approval to allow a septic reserve area in an easement on lot 2, parcel 7; to serve lot 2, parcel 2, pursuant to Section 500.7 of the BCZR, and to amend the site plan approved in case no. 96-252-SPH solely for this purpose, be and is hereby GRANTED, subject, however, to the following restriction:

> The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

> > for Baltimore County

LAWRENCE E. SCHMIDT Zoning Commissioner





Suite 112 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

May 23, 1996

Robert Hoffman, Esquire Venable, Baetjer and Howard 210 Allegheny Avenue Towson, Maryland 21204

> RE: Petition for Special Hearing Case No. 96-388-SPH Stephen F. Bisbee, et ux, etal, Petitioners

Dear Mr. Hoffman:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Hearing has been granted, with restriction, in accordance with the attached Order.

In the event any party finds the decision rendered unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Appeals Clerk at 887-3353.

Very truly yours,

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

LES:mmn encl.

c: Mr. and Mrs. Stephen F. Bisbee

c: Ms. Gail Cunningham



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at

2800 Butler Road, Glyndon, MD 21071

96-388-SPH

which is presently zoned RC-2

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made part of hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve a septic reserve area in an easement on Lot No. 2, Parcel 7 to serve Lot No. 2, Parcel 2 and to amend the site plan approved in Case No. 96-252-SPH solely for this purpose.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

			I/We do solemnly declare and affirm, under legal owner(s) of the property which is the sub	the penalties of pe pject of this Petitio	erjury, that I/we are the n.
Contract Purchaser/Lessee:			Legal Owner(s): (See additiona	ıl Name at	tached)
			Stephen F. Bisbee		
(Type or Print Name)			(Type or Print Name)	ilre	
Signature			Signature	acre	
			Karen Bisbee	<u></u>	
Address			(Type or Print Name) ** Kally Bishle)	
City	State	Zipcode	Signature		
			2800 Butler Road		39-8300
Attomey for Petitioner:			Address	P	hone No.
Robert A. Hoffman			Glyndon	MD	21071
Venable, Baetjer and Howard, L	<u> </u>		City	State	Zipcode
(Type or Print Name)	,		Name, Address and phone number of legal of to be contacted.	wner, contract pur	chaser or representati
1/1/// 1/6			Robert A. Hoffman		
- 1//// (1 // /			Venable, Baetjer and Howard, LLP		
Signature			Name		
210 Allegheny Ave.		(410) 494-6200	210 Allegheny Ave, Towson, MD 2	1204	(410) 494-6200
Address		Phone No	Address		Phone No.
Towson	MD	21204	OFFICE US	E ONLY	
City	State	Zipcode			
		Administ	ESTIMATED LENGTH OF HEARING	2-34	
		Spirits Administrate	unavailable for Hearing the following dates Next Two Months		·····
		œ <u>*</u>	ALLOTHER		
		Control Manage	REVIEWED BY:/C4.	DATE	4/4/16
		ment No	'B	MICROFI	IMED
					B-m 2 9 4 44-4

Signature Page to Accompany Special Hearing Request 96-388 SPA

Legal Owner:

Gail Cunningham

2900 Butler Road

Glyndon, Maryland 21071

#38C 96-388**-51**14

Description

To Accompany Petition for Special Hearing Cunningham and Bisbee Properties

God's Acres Farm

#2800 and #2900 Butler Road

49.15 Acres

Fifth Election District, Baltimore County, Maryland



Daft MCune Walker, Inc.

200 East Pennsylvanıa Avenue Towson, Maryland 21286 410 296 3333 Fax 296 4705

A Team of Land Planners, Landscape Architects, Engineers, Surveyors & Environmental Professionals

Beginning for the same at a point in the center of Butler Road at a distance of 6047 feet, more or less, measured southwesterly on the centerline of Butler Road from its intersection with the centerline of Falls Road, thence leaving said point of beginning and running with and binding on the centerline of Butler Road, the three following courses and distances, viz: (1) South 57 degrees 47 minutes 50 seconds West 384.10 feet, thence (2) South 57 degrees 36 minutes 17 seconds West 687.60 feet, and thence (3) South 57 degrees 32 minutes 31 seconds West 225.90 feet, thence leaving said centerline and running the fifteen following courses and distances, viz: (4) North 01 degree 21 minutes 58 seconds East 459.00 feet, thence (5) North 44 degrees 25 minutes 02 seconds West 198.00 feet, thence (6) North 14 degrees 06 minutes 02 seconds West 204.60 feet, thence (7) North 27 degrees 13 minutes 02 seconds West 196.50 feet, thence (8) North 54 degrees 29 minutes 02 seconds West 252.50 feet, thence (9) North 28 degrees 21 minutes 02 seconds West 200.90 feet, thence (10) North 03 degrees 25 minutes 09 seconds East 558.76 feet, thence (11) North 83 degrees 21 minutes 40 seconds East 231.41 feet, thence (12) North 23 degrees 21 minutes 28 seconds East 299.37 feet, thence (13) North 65 degrees 27 minutes 47 seconds East 109.60 feet, thence (14) North 31 degrees 39 minutes 19 seconds West 102.55 feet, thence

(15) North 65 degrees 54 minutes 49 seconds East 482.28 feet, thence (16) South 23 degrees 17 minutes 55 seconds East 294.93 feet, thence (17) South 16 degrees 47 minutes 55 seconds East 885.56 feet, and thence (18) South 32 degrees 12 minutes 10 seconds East 795.36 feet to the point of beginning; containing 49.15 acres of land, more or less.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

April 2, 1996

Project No. 95108 (L95108.5)



(1)

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY Towns. Maryland

8-388-X

Petitt Locat Locat Locatt Locatt Posted Posted	Distr
Petitioner: 52 Location of property: Location of Signe Remarks: Posted by	District S A Posted for:
Styles JAHled	N
Lacin Sel	May
K O'S	w
The Land	9
Positioner: Ether T. Buller. Real Location of Stephen Lectury Declary On Buller Real Location of Stephen Lectury Declary On Date of return: 4/960. Remarks: Posteri by Miller. Stephenson	7.
Drepo R	
Date of Leturn: Af 260/	o. Posti
	Date of Posting 11/24/86
	95/14

Case #96-358-X (Item 386) God's 2800 Butter Road God's Acres Farm Ra Tinsley Prop-

NS Butler Road 6047 SW of

of Falls Road
Sith Election District
Sith Cleation District
Sith Election District
Sith Election District
Sith Election F. Bisbee and Karen
Bisbee and Gall Culmingham
Special Hearing: to debra
mins; whiether or, not the zonnay, commissioner should
approve a septid reserve area
in an essement on tot number
2, parcel 2, and by amend, the
site plan approved in case
#88-252-SPH solely for this
number

purpose Hearing: Monday, May 13, 1996 at 11700 a.m. in Rm. 118, Old Courthouse.

LAWRENCE E. SCHMIDT Zoning Committee for Bettimore County NOTES: (1) Hearings are Handlcapped Accessible; for special accenimodations Please Call 867-3953.
(2) For Information concerning the File and/or Hearing Please Call 887-3391.

4/197 April 16 045090

CERTIFICATE OF PUBLICATION

rowson,	
MD.	
-	
ŀ	
_	
00	
•	
19	
-9	

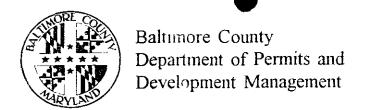
weeks, the first publication appearing on 418in Towson, Baltimore County, Md., once in each of ____successive published in THE JEFFERSONIAN, a weekly newspaper published THIS IS TO CERTIFY, that the annexed advertisement was

THE JEFFERSONIAN,

HOMELANDA TOWNSON

MICROFILMED

BALTIMORE COUNTY, MARYLANI OFFICE OF FINANC REVENUE DIVISI MISCELLANEOUS CASH RECEIPT	**************************************
DATE 4/4/96 ACC	OUNT 01-615
#:386 By, 2001/CM AM	OUNT \$ /35.00
FROM: _ Cunningham / Bisbac	-2800 8 2700 Bither Ked
030 - (2) Special the ,	# 35.00
	3 /35. AT
2010 -	(1973-1695)
• • • • • • • • • • • • • • • • • • • •	SIGNATURE OF CASHIER



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

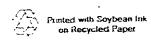
This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR
For newspaper advertising:
Item No.: 386 Petitioner: Stephen F. Bilds Bisber / Gail Commy han
Location: 2800 E 2900 Butter Roal
PLEASE FORWARD ADVERTISING BILL TO:
NAME: Robert A. Hoftman (Veneble, Baetjo, + Howard)
ADDRESS: 210 Alleghony Are
Towson, MD 21264
PHONE NUMBER: (410) 494-6700



TO: PUTUXENT PUBLISHING COMPANY
April 18, 1996 Issue - Jeffersonian

Please foward billing to:

Barbara W. Ormord Venable, Baetjer & Howard LLP 210 Allegheny Avenue Towson MD 21204 494-6201

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore
County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

SPH

CASE NUMBER: 96-388-≱ (Item 386)

2800 Butler Road - God's Acres Farm fka Tinsley Property

N/S Butler Road, 6047 SW of c/l Falls Road 5th Election District - 3rd Councilmanic

Legal Owner(s): Stephen F. Bisbee and Karen Bisbee and Gail Cumningham

Special Hearing to determine whether or not the zoning commissioner should approve a septic reserve area in an easement on lot number 2, parcel 2; and to amend the site plan approved in case #96-252-SPH solely for this purpose.

HEARING: MONDAY, MAY 13, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

LAMBENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

April 11, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore
County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

SPH CASE NUMBER: 96-388-★ (Item 386)

2800 Butler Road - God's Acres Farm fka Tinsley Property

N/S Butler Road, 6047' SW of c/l Falls Road 5th Election District - 3rd Councilmanic

Legal Owner(s): Stephen F. Bisbee and Karen Bisbee and Gail Conningham

Special Hearing to determine whether or not the zoning commissioner should approve a septic reserve area in an easement on lot number 2, parcel 2; and to amend the site plan approved in case #96-252-SPH solely for this purpose.

HEARING: MONDAY, MAY 13, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

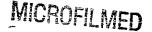
Arnold Jablon Director

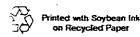
cc: Stephen and Karen Bisbee Robert A. Hoffman, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.

(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

(3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





TO: PUTUXENT PUBLISHING COMPANY
April 18, 1996 Issue - Jeffersonian

Please foward billing to:

Barbara W. Ormord Venable, Baetjer & Howard LLP 210 Allegheny Avenue Towson MD 21204 494-6201

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore
County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-388-X (Item 386)
2800 Butler Road - God's Acres Farm fka Tinsley Property
N/S Butler Road, 6047' SW of c/l Falls Road
5th Election District - 3rd Councilmanic
Legal Owner(s): Stephen F. Bisbee and Karen Bisbee and Gail Cunningham

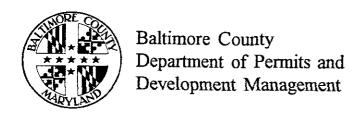
Special Hearing to determine whether or not the zoning commissioner should approve a septic reserve area in an easement on lot number 2, parcel 2; and to amend the site plan approved in case #96-252-SPH solely for this purpose.

HEARING: MONDAY, MAY 13, 1996 at 11:00 a.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

April 11, 1996



The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore
County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-388-X (Item 386)

2800 Butler Road - God's Acres Farm fka Tinsley Property

N/S Butler Road, 6047' SW of c/I Falls Road 5th Election District - 3rd Councilmanic

Legal Owner(s): Stephen F. Bisbee and Karen Bisbee and Gail Cunningham

Special Hearing to determine whether or not the zoning commissioner should approve a septic reserve area in an easement on lot number 2, parcel 2; and to amend the site plan approved in case #96-252-SPH solely for this purpose.

HEARING: MONDAY, MAY 13, 1996 at 11:00 a.m. in Room 118, Old Courthouse.

|5|

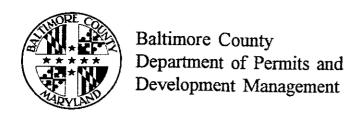
Arnold Jablon Director

ce:

Stephen and Karen Bisbee Robert A. Hoffman, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
- (3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

May 6, 1996

Robert A. Hoffman, Esquire Venable, Baetjer and Howard, LLP 210 Allegheny Avenue Towson, MD 21204

RE Item No.: 386

Case No.: 96-388-X

Petitioner: Stephen Bisbee, et ux

Dear Mr. Hoffman:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on May 1, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

50 DO.

W. Carl Richards, Jr. Zoning Supervisor

WCR/jw
Attachment(s)

MICROFILMED

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO:

PDM

DATE: 5-1-96

FROM:

R. Bruce Seeley

Permits and Development Review

DEPRM

SUBJECT: Zoning Advisory Committee Meeting Date: 4-15-96

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

RBS:sp

BRUCE2/DEPRM/TXTSBP

MICROFILMED

Baltimore County Government Fire Department



700 East Joppa Road Towson, MD 21286-5500

Office of the Fire Marshal (410)887-4880

DATE: 04/16/96

Arnold Jablon Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204 MAIL STOP-1105

Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF APRIL 15, 1996.

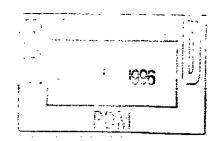
Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:376,378,379,382,384,385, 386 AND 332.



REVIEWER: LT. ROBERT P. SAUERWALD Fire Marshal Office, PHONE 887-4881, MS-1102F

"MICROFILMED cc: File



David L. Winstead Secretary Hal Kassoff Administrator

Ms. Joyce Watson Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204

RE:

4-12-96Baltimore County Item No. 386 (MJK/CAM)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval, as a field inspection reveals the existing entrance(s) onto MD/ 28 are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Please contact Bob Small at 410-333-1350 if you have any questions. Thank you for the opportunity to review this item.

> Very truly yours, Bob Small

Ronald Burns, Chief **Engineering Access Permits**

Division

BS

My telephone number is _

Maryland Relay Service for Impaired Hearing or Speech 1-800-735-2258 Statewide Toll Free

MICROFILMED

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717 Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

JOHN ALEXALICA

To were

Y

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: April 22, 1996

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Chief
Development Plans Review Division
Department of Permits & Development
Management

SUBJECT:

Zoning Advisory Committee Meeting

for April 22, 1996

Item Nos. 376, 378, 381, 382, 384,

385 / 386, & 388

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

MICROFILMED

ZONE7

7 1996

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: April 10, 1996

TO:

Arnold Jablon, Director

Permits and Development

Management

FROM:

Pat Keller, Director

Office of Planning

SUBJECT:

Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 365, 366, 368, 369, 371, 375, 376, 379, 382, 384, 385,/386/and 388

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

They M. Long.

PK/JL

MICROFILMED

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
2800 Butler Road (God's Acres Farm, fka Tinsley Property), N/S Butler Road,	*	ZONING COMMISSIONER
6047' SW of c/l Falls Road 5th Election District, 3rd Councilmanic	*	OF BALTIMORE COUNTY
Stephen F. Bisbee, et al. Petitioners	*	CASE NO. 96-388-SPH

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the abovecaptioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Mar Zimneman

CAROLE S. DEMILIO

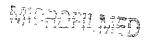
Deputy People's Counsel Room 47, Courthouse 400 Washington Avenue

Towson, MD 21204 (410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this ______day of May, 1996, a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esquire, Venable, Baetjer and Howard, 210 Allegheny Avenue, Towson, MD 21206, attorney for Petitioners.

PETER MAX ZIMMERMÂN





Including professional corporations

210 Allegheny Avenue Post Office Box 5517 Towson, Maryland 21285-5517 (410) 494-6200, Fax (410) 821-0147 OFFICES IN

#386

MARYLAND WASHINGTON, D.C. VIRGINIA

Writer's Direct Number: 410-494-6201



April 3, 1996

Hand Delivery

Ms. Kate Milton Department of Permits & Development Management 111 W. Chesapeake Avenue Towson, MD 21204

> Re: **Bisbee Property**

> > Petition for Special Hearing

Dear Kate:

Enclosed are three original petitions which have been executed by the Bisbees and Gail Cunningham. Please substitute these petitions for the ones previously submitted with the filing package. Please also note that the 200' zoning map is page 2 of the site plan. Thanks for all your help. Let me know if there is anything futher.

Sincerely,

Barbara W. Ormord Legal Assistant

Enclosure

cc: Robert A. Hoffman, Esquire

MICROFILMED

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
MUHARL MAGURE	200 E. PENNSYLVANIA-AVE
Stephen Bisbee	2800 Bar He Rd 6/ guden 146
Rob Hoffman	2900 Butter Rd. Glyndon, MD 210 210 Allertung Are 21204
Lop Hoffman	210 Alleying Are 21204
	MICROFILMED

IN RE: PETITION FOR SPECIAL HEARING

NW/S Butler Road, 4500 ft. SW

of c/l Falls Road

2800 Butler Rd. (Tinsley Property)

5th Election District

3rd Councilmanic District

Stephen S. Bisbee

Petitioner

BEFORE THE

ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE No. 96-252-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for the parcel known as the Tinsley Farm, in the Glyndon section of Baltimore County. The Petitioner, identified on the Petition as Stephen F. Bisbee, Contract Purchaser, seeks special hearing relief to approve a lot reconfiguration and non-density transfers within the overall The subject property, which is located within the Wortract zoned R.C.2. thington Valley, is more particularly shown on Petitioner's Exhibit No. 1, the three page plan to accompany the Petition for Special Hearing.

Appearing at the requisite public hearing held for this case was Stephen F. Bisbee and Karen Bisbee, his wife, Contract Purchasers. Also present was Michael E. Roche, Esquire, an attorney from Equity Title Company, Inc. Also present in support of the Petition was Karroll Kershner, a resident of the subject property and Michael Maguire, a consultant from Daft, McCune and Walker. Mr. Maguire's firm prepared the site plan. Petitioner was represented by Robert A. Hoffman, Esquire. There were no Protestants present, however, John Bernstein, Executive Director of The Valleys Planning Council, appeared at the hearing.

The Tinsley property, also known as God's Acre Farm, is located on the north side of Butler Road in the rural Worthington Valley area. The property is presently owned by the Estate of Mr. Tinsley under contract of sale to Mr. and Mrs. Bisbee. The subject property is identified on the site plan as These parcels are containing three separate and identifiable parcels. identified as parcel No. 2 (approximately 5 acres in area), parcel No. 3

(approximately 45 acres in area), and parcel No. 7 (approximately 36 acres in area). Cumulatively, the parcels comprise about 86 acres. The parcels contain significant frontage on Butler Road, not far from the intersection of Falls Road and Butler Road.

Counsel for the Petitioner submitted a letter from Mr. Roche confirming the results of his title search (Petitioner's Exhibit No. 2A). Mr. Roche examined the Land Records of Baltimore County and concluded that Mr. Tinsley and his wife, now both deceased, acquired the subject parcels in March of 1955. At that time, Mr. and Mrs. Tinsley acquired approximately 175 acres. Over the intervening years, a number of parcels were sold off, however, as of November 26, 1979, Mr. Tinsley and his wife owned the three separate parcels identified above. There have been no conveyances or subdivisions since November of 1979. Mr. Roche's testimony was dispositive in establishing the state of the property's title on November 26, 1979. That date is significant in that same is when the R.C. zoning classification was adopted in Baltimore County. Thus all rights of subdivision and density are established based on the title of the property as of that date.

Under the applicable zoning regulations, each R.C.2 lot between 2 and 100 acres can be divided once so as to create building two building lots. Therefore, the cumulative property can be subdivided so as to create six building lots.

The present and historic use of the property indicates that the site presently supports several dwellings. The main house is located on the northern portion of the property on parcel 7. Parcel 7 also contains a house which is occupied by Mr. Kershner. Mr. Kershner maintains the entire property and supervises much of the agricultural activity which occurs thereon. A third house is situated on parcel 2. This is an existing two

story dwelling with a detached garage. The fourth house, also situated on parcel No. 7, is an existing one story block house.

It is clear that of the six rights of subdivision, (known as density units in the D.R. zone) four have been utilized. That is, under law, the Petitioner could subdivide the entire property to create two additional units. However, the testimony of Mr. Bisbee was that he does not wish to add residences to the property. He and his wife recognize that this property is a landmark residential/agricultural farm which should be preserved and continue to be used for agricultural purposes. The Petitioner should be applauded for his efforts in retaining the property in its present condition.

Although no additional construction is contemplated, the Petitioner does wish to adjust lot lines and reconfigure the lot lines of the three parcels which comprise the overall tract. A step by step explanation of the proposed reconfiguration is shown on page 3 of the site plan. Primarily, the purpose of the reconfiguration is to establish a lot for each of the existing dwellings. When completed, the main house will be situated on a lot which will comprise approximately 45 acres. The small block building will be situated on a lot containing 4.78 acres. The tenant house, occupied by Mr. Kershner, will be on a lot of 7.70 acres. The fourth house, with a detached garage, will be on a lot of 4.46 acres. The balance of the parcel, to be identified as parcel 3, will be approximately 25 acres. The Petitioner contemplates placing this lot in a State/local sponsored agricultural easement program to preserve the character of the property in perpetuity.

The plan, as shown in stages on page 3 of the site plan, is entirely appropriate. Moreover, the plan enjoys the support of Mr. Bernstein, from the Valleys Planning Council. Also, Zoning Plans Advisory Committee comments were received relative to the Petition. These agencies support the

project. A particularly relevant comment was received from Wally Lippincott of the Office of Planning. Mr. Lippincott's formula for reaching the Petitioner's goal is slightly different than that proposed by the Petitioner. However, the end result will be the same in that the Petitioner is proposing a guarantee that the area of prime and productive agricultural soils will be protected and no further development will occur on the property.

Based on the uncontradicted testimony and evidence presented, I am persuaded to grant the Petition for Special Hearing. There is no evidence that the proposed reconfiguration of the lot lines will be detrimental to the health, safety or general welfare of the surrounding locale. To the contrary, this is an appropriate protection of the site and presents an opportunity to preserve the existing agricultural conditions. However, to facilitate the spirit and intent of the plan and to accommodate the Petitioner's pending settlement for the acquisition of the property, an appropriate restriction will be added to the relief granted herein.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the Petition for Special Hearing should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 12 day of February, 1996 that. pursuant to the Petition for Special Hearing, approval a lot reconfiguration and non-density transfers within the overall tract zoned R.C.2, be and is hereby GRANTED, subject, however, to the following restrictions which is a condition precedent to the relief granted herein:

1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. Within 90 days from the date of this Order, the Petitioner shall enter into a legally binding agreement which will restrict the future development of parcel No. 3 to no further dwellings or building lots. Such restrictions shall not prohibit the existing use of the parcel or the construction of buildings or structures relating to the existing use or agricultural use of parcel No. 3.

LAWRENCE E. SCHMIDT

Zoning Commissioner for

Baltimore County

LES:mmn

FINDINGS OF FACT AND CONCLUSIONS OF LAW

the state of the s

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for the property located at 2800 Butler Road in the Glyndon section of northern Baltimore County. The Petition is filed by Stephen F. Bisbee, Karen Bisbee and Gail Cunningham, property owners. Special Hearing relief is requested pursuant to Section 500.7 of the Baltimore County Zoning Regulations (BCZR) to approve a septic reserve area in an easement on lot 2, parcel 7; to serve lot 2, parcel 2, and to amend the site plan approved in case no. 96-252-SPH solely for this purpose. The subject property and requested relief use is more particularly shown on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Special Hearing.

Appearing at the requisite public hearing held for this case were Stephen Bisbee and Gail Cunningham, co-property owners and Petitions. Also present was Michael Maguire from Daft, McCune, Walker, Inc., who prepared the development plan. The Petitioners were represented by Robert A. Hoffman, Esquire. There were no interested persons or Protestants present.

This is the second time in the recent past which this property has come before me for consideration. In case No. 96-252-SPH, I considered a Petition for Special Hearing for the subject property filed by Stephen F. Bisbee and Karen Bisbee, then contract purchasers. That special hearing

requested relief to approve a lot reconfiguration and non-density transfers within the overall tract, zoned R.C.2. As fully set forth in the opinion and Order issued on February 12, 1996, the relief requested was granted. To the extent the same does not contradict with the site plan and evidence offered in the instant case, my prior findings of fact, conclusions of law and Order are hereby incorporated.

Generally, the entire tract at issue is approximately 86 acres. The property is known as "God's Acre Farm" and previously was owned by the Tinsley family. Mr. and Mrs. Tinsley have passed away and the property was subsequently sold to the Bisbees. The property is divided into a number of lots which contain several different dwellings. These include the dwelling in which Mr. and Mrs. Bisbee now reside, as well as other dwellings which originally housed workers on the farm. As set forth in case No. 96-252-SPH, Mr. and Mrs. Bisbee have subdivided the property and propose to sell lot 2, parcel 2 to Ms. Cunningham.

In the course of preparing for this sale, the septic system serving the dwelling in which Ms. Cunningham will reside was examined. Apparently, the Department of Environmental Protection and Resource Management (DEPRM) suggested relocation of the septic field serving that system. After exploring numerous options, it was determined that the field should be located outside of the lot boundary of the Cunningham parcel. Thus, as shown on the site plan, Mr. and Mrs. Bisbee have proposed making available an area within the tract which they have retained to serve as the site of the septic field. This area is being made available to Ms. Cunningham by way of the grant of an easement for the purposes set forth above.

Based upon the testimony and evidence offered, all of which is uncontradicted, it is clear that the Petition for Special Hearing should be granted. A grant of the relief requested is not contrary to the spirit and intent of the original Order, nor the property's zoning classification. Rather, the easement is conveyed only to improve the septic system for the Cunningham lot and is altogether appropriate. Thus, the relief requested should and will be granted.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this day of May, 1996 that, pursuant to the Petition for Special Hearing, approval to allow a septic reserve area in an easement on lot 2, parcel 7; to serve lot 2, parcel 2, pursuant to Section 500.7 of the BCZR, and to amend the site plan approved in case no. 96-252-SPH solely for this purpose, be and is hereby GRANTED, subject, however, to the following restriction:

> 1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LES:mmn att.

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County **Baltimore County Government** Zoning Commissioner Office of Planning and Zoning

Suite 112 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

May 23, 1996

Robert Hoffman, Esquire Venable, Baetjer and Howard 210 Allegheny Avenue Towson, Maryland 21204

> RE: Petition for Special Hearing Case No. 96-388-SPH

Stephen F. Bisbee, et ux, etal, Petitioners

Dear Mr. Hoffman:

LES:mmn

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Hearing has been granted, with restriction, in accordance with the attached Order.

In the event any party finds the decision rendered unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Appeals Clerk at 887-3353.

> LAWRENCE E. SCHMIDT Zoning Commissioner

for Baltimore County

c: Mr. and Mrs. Stephen F. Bisbee c: Ms. Gail Cunningham

Petition for Special Hearing to the Zoning Commissioner of Raltimore Country

for the property located at 2800 Butler Road, Glyndon, MD 21071 which is presently zoned RC-2

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made part of hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve a septic reserve area in an easement on Lot No. 2, Parcel 7 to serve Lot No. 2, Parcel 2 and to amend the site plan approved in Case No. 96-252-SPH solely for this purpose.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

				I/We do solemnly deck legal owner(s) of the pro	are and affirm, under the perty which is the subje	e penalties of po ct of this Petitio	erjury, that I/we are the n.
Contract Purchaser/Lessee:				Legal Owner(s): (Se			
			_	Stephen F. Bisbee			· · · · · · · · · · · · · · · · · · ·
(Type or Print Name)			N.	(Type or Print Name)	ul F/Je	: /	
Signature	<u>. </u>		7	Signature			
				Karen Bisbee			
Address	-			(Type or Print Name)			
			×		Bishe		
City	State	Zipcode	W.	Signature			
				2800 Butler Road			539-8300
		:	•	Address		- 1	Phone No.
Attorney for Petitioner:		, · ·					
Robert A. Hoffman				Glyndon		CM	21071
Venable, Baetjer and Howard, L	LP		2.5	City		State	Zipcode
(Type or Print Name)	,			Name, Address and pho	one number of regal OW	ner, comaci pi	aciasei oi representati
1/1// 1hh.				Robert A. Hoffman Venable, Baetjer a			
Signature	· · · · · · · · · · · · · · · · · · ·		•	Name		-	_
210 Allegheny Ave.		(410) 494-6200		210 Allegheny Ave	e, Towson, MD 21	204	(410) 494-6200
Address		Phone No		Address			Phone No.
Towson	MD	21204			OFFICE USE	ONLY	
City	State	Zipcode		ESTIMATED LENGTH	OF HEARING	2-34	
		Zipcode Administration of April 18 Administration of the Administr	<u>.</u>	unavailable for Hearing			
		V b. A	4	Next Two Months			
		₽	Ju ₂	ALL	THE /CAN	7	elular
		or Dielonment Manage	Ç	REVIEWED BY:	71 /04	DATE	4/4/16

Signature Page to Accompany Special Hearing Request 76-388

Glyndon, Maryland 21071

Description

To Accompany Petition for Special Hearing Cunningham and Bisbee Properties God's Acres Farm #2800 and #2900 Butler Road

49.15 Acres

DMW

Daft-MCune-Walker, Inc.

Fifth Election District, Baltimore County, Maryland

Beginning for the same at a point in the center of Butler Road at a distance of 6047 feet, more or less, measured southwesterly on the centerline of Butler Road from its intersection with the centerline of Falls Road, thence leaving said point of beginning and running with and binding on the centerline of Butler Road, the three following courses and distances, viz: (1) South 57 degrees 47 minutes 50 seconds West 384.10 feet, thence (2) South 57 degrees 36 minutes 17 seconds West 687.60 feet, and thence (3) South 57 degrees 32 minutes 31 seconds West 225.90 feet, thence leaving said centerline and running the fifteen following courses and distances, viz: (4) North 01 degree 21 minutes 58 seconds East 459.00 feet, thence (5) North 44 degrees 25 minutes 02 seconds West 198.00 feet, thence (6) North 14 degrees 06 minutes 02 seconds West 204.60 feet, thence (7) North 27 degrees 13 minutes 02 seconds West 196.50 feet, thence (8) North 54 degrees 29 minutes 02 seconds West 252.50 feet, thence (9) North 28 degrees 21 minutes 02 seconds West 200.90 feet, thence (10) North 03 degrees 25 minutes 09 seconds East 558.76 feet, thence (11) North 83 degrees 21 minutes 40 seconds East 231.41 feet, thence (12) North 23 degrees 21 minutes 28 seconds East 299.37 feet, thence (13) North 65 degrees 27 minutes 47 seconds East 109.60 feet, thence (14) North 31 degrees 39 minutes 19 seconds West 102.55 feet, thence

(15) North 65 degrees 54 minutes 49 seconds East 482.28 feet, thence (16) South 23 degrees 17 minutes 55 seconds East 294.93 feet, thence (17) South 16 degrees 47 minutes 55 seconds East 885.56 feet, and thence (18) South 32 degrees 12 minutes 10 seconds East 795.36 feet to the point of beginning; containing 49.15 acres of

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE. April 2, 1996

Project No. 95108 (L95108.5)



Page 1 of 2

Page 2 of 2

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

96-388-X

District 5th			. Date of Posting.	4/2/96
Posted for:	May 13,	1996 Trea	rese	
Petitioner:	Stephen J.	Bisbee	, et al	_
Location of prop	Stephen F. 2800 F	Butler F	Road	
			:	
ocation of Sign	reciny to	usdway on pro	ipoly being z	9-11-L
· ·	·		, , , , , , , , , , , , , , , , , , , ,	
emarks:				
osted by	J. H. Leale		Data of return: 4/	6/91
number of Sign				
•	•	_		
	·			

NOTICE OF HEARING hold a public hearing on the property identified herein in Room 106 of the County Of-fice Building, 111 W. Chesa-peake Avenue in Towson, Maryland 21204 or Room 118. Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows: (Item 386) 2800 Butler Road - God's Acres Farm floa Tinsley Prop-. N/S Butler Road, 6047" SW of Stephen F. Bisbee and Karen Bisbee and Gail Cunningham Special Hearing: to deter-mine whether or not the zoning commissioner should approve a septic reserve area in an easement on lot number 2, parcei 2; and to amend the purpose. Hearing: Monday, May 13, 1996 at 11:00 a.m. in Rm. 118, Old Courthouse. LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimcre County
NOTES: (1) Hearings are
Handicapped Accessible; for
special accommodations
Please Call 887-3353.
(2) For information concerning the File and/or Hearing,
Please Call 887-3391.

TO: PUTUXENT PUBLISHING COMPANY

Please foward billing to:

Venable, Baetjer & Howard LLP

CASE NUMBER: 96-388-# (Item 386)

for this purpose.

LAWRENCE E. SCHMIDT

2800 Butler Road - God's Acres Farm fka Tinsley Property

Legal Owner(s): Stephen F. Bisbee and Karen Bisbee and Gail Cunningham

HEARING: MONDAY, MAY 13, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

N/S Butler Road, 6047' SW of c/l Falls Road

5th Election District - 3rd Councilmanic

ZONING CONNISSIONER FOR BALTIMORE COUNTY

Barbara W. Ormord

Towson MD 21204

494-6201

210 Allegheny Avenue

April 18, 1996 Issue - Jeffersonian

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore

County, will hold a public hearing on the property identified herein in

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Special Hearing to determine whether or not the zoning commissioner should approve a septic reserve area

in an easement on lot number 2, parcel 2; and to asend the site plan approved in case #96-252-SPH solely

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMPODATIONS PLEASE CALL 887-3353. (2) FOR IMPORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of ____ successive weeks, the first publication appearing on 418, 1996.

MISCELLANEOUS CASH RECEIPT 96-388-X C30 (2) Speculify - \$ 100 00 . # 35. --N3491#33 PLMSEHRO VALIDATION OR SIGNATURE OF CASHIER

Baltimore County Department of Permits and Development Management

Development Processing County Office Building III West Chesapeake Avenue Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

PHONE NUMBER: (410) 494-6700

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR For newspaper advertising: Item No .: 386 Petitioner: Stephen F. Brade Biske Cail Commishing Location: 2800 £ 2400 Butter Roal PLEASE FORWARD ADVERTISING BILL TO: NAME: Robert A. Hoffman (Veneble, Baction + Howard) ADDRESS: 210 Alleghory Arc Towson MD 21264

Baltimore County

April 11, 1996

for this purpose.

cc: Stephen and Karen Bisbee

Robert A. Hoffman, Esq.

59H CASE NUMBER: 96-388-₩ (Item 386)

W/S Butler Road, 6047 SW of c/l Falls Road 5th Election District - 3rd Councilmanic

Department of Permits and

Development Management

2800 Butler Road - God's Acres Farm fixe Tinsley Property

Legal Owner(s): Stephen F. Bisbee and Karen Bisbee and Gail Cunningham

HEARING: MONDAY, MAY 13, 1996 at 9:00 a.m. in Room 118, Old Courthouse.

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore

Rock 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Special Bearing to determine whether or not the zoning commissioner should approve a septic reserve area

in an easement on lot number 2, parcel 2; and to amend the site plan approved in case #96-252-SPH solely

MOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.

(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMPODATIONS PLEASE CALL 887-3353.

(3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

County, will hold a public bearing on the property identified herein in

Baltimore County Department of Permits and Development Management

Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

Robert A. Hoffman, Esquire Venable, Baetjer and Howard, LLP 210 Allegheny Avenue Towson, MD 21204

Case No.: 96-388-X

May 1, 1996.

Attachment(s)

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

DATE: 5-1-96

Permits and Development Review

R. Bruce Seeley

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

BRUCE2/DEPRM/TXTSBP

Baltimore County Government Fire Department

Office of the Fire Marshal

DATE: 04/16/96

Development Processing

County Office Building

111 West Chesapeake Avenue

Towson, Maryland 21204

Baltimore County Office Building Towson, MD 21204 MAIL STOP-1105

Zoning Administration and

Development Management

700 East Joppa Road

Arnold Jablon

Director

Towson, MD 21286-5500

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF APRIL 15, 1996.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time. IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:376,378,379,382,384,385,

REVIEWER: LT. ROBERT P. SAUERWALD Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Printed with Soybase to on Recycled Paper

May 6, 1996

Petitioner: Stephen Bisbee, et ux

Dear Mr. Hoffman:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

David L. Winstead Secretary Hal Kassoff Administrator

Ms. Joyce Watson Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval, as a field inspection reveals the existing entrance(s) onto MD/ 128 are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Please contact Bob Small at 410-333-1350 if you have any questions. Thank you for the opportunity to review this item.

Engineering Access Permits

My telephone number is _____ Maryland Relay Service for Impaired Hearing or Speech Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717 Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

Jenn Alexence TO W-

BALTIMORE COUNTY, MARYLAND! INTEROFFICE CORRESPONDENCE

Arnold Jablon, Director Date: April 22, 1996 Department of Permits & Development Management

Robert W. Bowling, Chief
Development Plans Review Division
Department of Permits & Development Management

SUBJECT: Zoning Advisory Committee Meeting for April 22, 1996 Item Nos. 376, 373, 381, 382, 384, 385, 386, & 388

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments. RWB:HJO:jrb

cc: Fire

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

Arnold Jablon, Director Permits and Development Management

DATE: April 10, 1996

FROM: Pat Keller, Director Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s): Item Nos. 365, 366, 368, 369, 371, 375, 376, 379, 382, 384, 385, 386 and 388 If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

ITEM365/PZONE/TXTJWL

Writer's Direct Number:

MARYLAND WASHINGTON D.C.

VIRGINIA

April 3, 1996

VENABLE, BAETJER AND HOWARD, LLP Including professional corporations

210 Allegheny Avenue

Post Office Box 5517 Towson, Maryland 21285-5517

(410) 494-6200, Fax (410) 821-0147

Hand Delivery

ATTORNEYS AT LAW

Ms. Kate Milton Department of Permits & Development Management 111 W. Chesapeake Avenue Towson, MD 21204

> Re: Bisbee Property Petition for Special Hearing

Dear Kate:

Enclosed are three original petitions which have been executed by the Bisbees and Gail Cunningham. Please substitute these petitions for the ones previously submitted with the filing package. Please also note that the 200' zoning map is page 2 of the site plan. Thanks for all your help. Let me know if there is anything futher.

Barbara W. Ormord Legal Assistant

ce: Robert A. Hoffman, Esquire

PETITIONER(S) SIGN-IN SHEET

200 P. PENNINUVANIA AVE I ya . South and a good on 1/10 Ly Landon

Printed with Soybean Ins.

IN RE: PETITION FOR SPECIAL HEARING * NW/S Butler Road, 4500 ft. SW of c/l Falls Road 2800 Butler Rd. (Tinsley Property) 5th Election District

3rd Councilmanic District

Stephen S. Bisbee

Petitioner ******* FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for the parcel known as the Tinsley Farm, in the Glyndon section of Baltimore County. The Petitioner, identified on the Petition as Stephen F. Bisbee, Contract Purchaser, seeks special hearing relief to approve a lot reconfiguration and non-density transfers within the overall tract zoned R.C.2. The subject property, which is located within the Worthington Valley, is more particularly shown on Petitioner's Exhibit No. 1, the three page plan to accompany the Petition for Special Hearing.

ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE No. 96-252-SPH

Appearing at the requisite public hearing held for this case was Stephen F. Bisbee and Karen Bisbee, his wife, Contract Purchasers. Also present was Michael E. Roche, Esquire, an attorney from Equity Title Company, Inc. Also present in support of the Petition was Karroll Kershner, a resident of the subject property and Michael Maguire, a consultant from Daft, McCune and Walker. Mr. Maguire's firm prepared the site plan. The Petitioner was represented by Robert A. Hoffman, Esquire. There were no Protestants present, however, John Bernstein, Executive Director of The Valleys Planning Council, appeared at the hearing.

The Tinsley property, also known as God's Acre Farm, is located on the north side of Butler Road in the rural Worthington Valley area. The property is presently owned by the Estate of Mr. Tinsley under contract of sale to Mr. and Mrs. Bisbee. The subject property is identified on the site plan as containing three separate and identifiable parcels. These parcels are identified as parcel No. 2 (approximately 5 acres in area), parcel No. 3

RE: PETITION FOR SPECIAL HEARING BEFORE THE 2800 Butler Road (God's Acres Farm, fka Tinsley Property), N/S Butler Road, ZONING COMMISSIONER 6047' Sw of c/l Falls Road 5th Election District, 3rd Councilmanic * OF BALTIMORE COUNTY Stephen F. Bisbee, et al. CASE NO. 96-388-SPH Petitioners

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the abovecaptioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminar; or final Order.

> Peter College Commence PETER MAX ZIMMERMAN People's Counsel for Baltimore County CAROLE S. DEMILIO

Deputy People's Counsel Room 47, Courthouse 400 Washington Avenue Towson, MD 21204 (410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this ____ day of May, 1996, a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esquire, Venable, Baetjer and Howard, 210 Allegheny Avenue, Towson, MD 21206, attorney for Petitioners.

